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**U.S. District Court
Middle District of Florida (Orlando)
CRIMINAL DOCKET FOR CASE #: 6:23-mj-01170-EJK All Defendants**

Case title: USA v. Ghertler

Date Filed: 02/17/2023

Date Terminated: 02/21/2023

Assigned to: Magistrate Judge Embry J.
Kidd

Defendant (1)

Jonathan Ghertler
TERMINATED: 02/21/2023

represented by **Michael William Nielsen**
Nielsen Law Firm
720 W SR 434
Winter Springs, FL 32708
407/327-5865
Fax: 407/327-0384
Email: nielsenlaw@cfl.rr.com
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

18:1028A.F FRAUD WITH
IDENTIFICATION DOCUMENTS,
18:1343.F FRAUD BY WIRE, RADIO,
OR TELEVISION

Disposition

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Plaintiff**USA**represented by **Beatriz Gonzalez**

DOJ-USAO

400 W. Washington Street

Suite 3100

Orlando, FL 32801

407-648-7500

Email: Beatriz.Gonzalez2@usdoj.gov

ATTORNEY TO BE NOTICED*Designation: Retained*

Date Filed	#	Docket Text
02/17/2023	<u>1</u>	Arrest pursuant to Rule 5(c)(2) of Jonathan Ghertler from the Southern District of New York. (JOR) (Entered: 02/17/2023)
02/17/2023	<u>2</u>	***CJA 23 Financial Affidavit by Jonathan Ghertler. (JOR) (Entered: 02/17/2023)
02/21/2023	<u>3</u>	Minute Entry for In Person proceedings held before Magistrate Judge Daniel C. Irick: INITIAL APPEARANCE in Rule 5(c)(3) proceedings held on 2/21/2023 as to Jonathan Ghertler from the Southern District of New York. (Digital) (TNP) (Entered: 02/21/2023)
02/21/2023	<u>4</u>	Ore Tenus MOTION to Appoint Counsel by Jonathan Ghertler. (TNP) (Entered: 02/21/2023)
02/21/2023	<u>5</u>	ORDER APPOINTING CJA COUNSEL, granting 4 Ore Tenus Motion to Appoint Counsel as to Jonathan Ghertler (1). Signed by Magistrate Judge Daniel C. Irick on 2/21/2023. (TNP) (Entered: 02/21/2023)
02/21/2023	<u>6</u>	WAIVER of Rule 5 & 5.1 Hearings by Jonathan Ghertler. Defendant waived identity, preliminary, and detention hearings. (TNP) (Entered: 02/21/2023)
02/21/2023	<u>7</u>	Ore Tenus MOTION for Detention by USA as to Jonathan Ghertler. (TNP) (Entered: 02/21/2023)
02/21/2023	<u>8</u>	ORDER OF DETENTION PENDING FURTHER PROCEEDINGS, granting without prejudice 7 Ore Tenus Motion for Detention as to Jonathan Ghertler (1). The defendant makes no application for release at this time. A motion for conditions of release and a detention hearing may be filed at a later date. Signed by Magistrate Judge Daniel C. Irick on 2/21/2023. (TNP) Modified on 2/21/2023 (TNP). (Entered: 02/21/2023)
02/21/2023	<u>9</u>	COMMITMENT TO ANOTHER DISTRICT as to Jonathan Ghertler. Defendant committed to the Southern District of New York. Signed by Magistrate Judge Daniel C. Irick on 2/21/2023. (TNP) (Entered: 02/21/2023)
02/21/2023	<u>10</u>	ORDER OF REMOVAL pursuant to Rule 5(c)(3) to the Southern District of New York as to Jonathan Ghertler. Signed by Magistrate Judge Daniel C. Irick on 2/21/2023. (TNP) (Entered: 02/21/2023)

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	<p>account, you may retrieve the docket sheet and any documents via the case number link. No documents/record will be sent. If you require certified copies of any documents please send a request to InterdistrictTransfer_FLMD@flmd.uscourts.gov. If you wish the court to use a different email address in the future, please send a request to update your address to InterdistrictTransfer_TXND@txnd.uscourts.gov. (TNP) (Entered: 02/21/2023)</p>
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**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

UNITED STATES OF AMERICA

VS.

CASE NO: 6:23-mj-1170-EJK

JONATHAN GHERTLER

AUSA: Beatriz Gonzalez

Defense Attorney: Michael Nielsen, Criminal Justice Act

JUDGE:	DANIEL C. IRICK United States Magistrate Judge	DATE AND TIME:	February 21, 2023 1:36 P.M. – 1:46 P.M.
Courtroom:	5C	TOTAL TIME:	10 minutes
DEPUTY CLERK:	T. Palmer	REPORTER:	Digital Orlando Digital Transcripts@flmd.uscourts.gov
INTERPRETER:	None	PRETRIAL/PROB:	Sofia Kollaian

**CLERK'S MINUTES
INITIAL APPEARANCE - RULE 5C**

Case called, appearances made, procedural setting by the Court.

Court advises defendants of his rights, including Rule 5 rights.

Defendant's ore tenus motion for court appointed counsel. Granted. Court appoints CJA counsel, Michael Nielsen.

Government advises defendant of the counts in the Indictment and potential penalties.

Defendants waives Rule 5 hearings.

Government ore tenus motion for detention. Motion granted. Order to enter.

Court advises government of the requirements pursuant to the Due Process Protections Act.

Case is removed to the Southern District of New York.

Defendant is remanded to the custody of the U.S. Marshals pending further proceedings.

Court adjourned.

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

UNITED STATES OF AMERICA

VS.

CASE NO: 6:23-mj-1170-EJK

JONATHAN GHERTLER

**ORDER APPOINTING
CRIMINAL JUSTICE ACT COUNSEL**

Because the above named defendant has testified under oath or has otherwise satisfied this Court that he: (1) is unable to employ counsel, and (2) does not wish to waive counsel, and because the interests of justice so require, it is

ORDERED that Michael Nielsen is appointed to represent the above named defendant in this case. The defendant may be required to contribute to the cost of this representation depending on circumstances to be determined at a later date.

DONE and ORDERED in Orlando, Florida on February 21, 2023.



DANIEL C. IRICK
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

United States Marshal
United States Attorney
United States Probation Office
United States Pretrial Services Office
Counsel for Defendant
Jonathan Gherbler

UNITED STATES DISTRICT COURT
Middle District of Florida
ORLANDO DIVISION

UNITED STATES OF AMERICA

VS.

CASE NO: 6:23-mj-1170-EJK

JONATHAN GHERTLER

Charging District's
Case No. 23-mj-1178

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)

I, **Jonathan Gherbler**, understand that I have been charged in another district, the Southern District of New York

I have been informed of the charges and of my rights to:

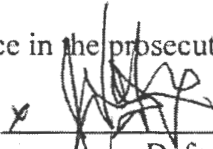
- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise - unless I am indicted - to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed.R. Crim.P. 20, to plead guilty.

I AGREE TO WAIVE MY RIGHT(S) TO:

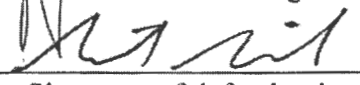
- ☒ an identity hearing and production of the warrant
- ☒ a preliminary hearing
- ☒ a detention hearing
- ☒ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

February 21, 2023



Defendant's Signature



Signature of defendant's attorney

MICHAEL NIELSEN
Printed name of defendant's attorney

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

UNITED STATES OF AMERICA

VS.

CASE NO: 6:23-mj-1170-EJK

JONATHAN GHERTLER

ORDER OF DETENTION PENDING FURTHER PROCEEDINGS

FINDINGS

An initial appearance has been held. The following facts and circumstances require the defendant to be detained pending trial.

The defendant makes no application for release at this time. A motion for conditions of release and a detention hearing may be filed at a later date.

DIRECTIONS REGARDING DETENTION

Jonathan Gherbler is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Jonathan Gherbler shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a Court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the Defendant to the United States marshal for the purpose of an appearance in connection with a Court proceeding.

Date: February 21, 2023


DANIEL C. IRICK
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
for the
Middle District of Florida

UNITED STATES OF AMERICA

VS.

CASE NO: 6:23-mj-1170-EJK

JONATHAN GHERTLER

Defendant

Charging District's
Case No. 23-mj-1178

COMMITMENT TO ANOTHER DISTRICT

The defendant has been ordered to appear in the Southern District of New York.

The defendant: is requesting court appointed counsel.

The defendant remains in custody after the initial appearance.

IT IS ORDERED: The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.



DANIEL C. IRICK
UNITED STATES MAGISTRATE JUDGE

Date: 2/21/2023

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

UNITED STATES OF AMERICA

VS.

CASE NO: 6:23-mj-1170-EJK

JONATHAN GHERTLER

**FINDINGS AND ORDER ON REMOVAL PROCEEDINGS
PURSUANT TO RULE 5(c), FED.R.CRIM.P.**

Jonathan Gherltler, having been arrested and presented before me for removal proceedings pursuant to Rule 5(c), Federal Rules of Criminal Procedure, and having been informed of the rights specified in Rule 5(d) thereof, and of the provisions of Rule 20, the following has occurred of record.

An Initial Appearance on the Rule 5(c) Complaint from Southern District of New York was held on February 21, 2023.

Based on the defendant's waiver of identity hearing, I find that JONATHAN GHERTLER is the person named in the warrant for arrest, a copy of which has been produced.

No preliminary or detention hearing has been held because the defendant elects to have the preliminary and detention hearing conducted in the district in which the prosecution is pending.

It is, therefore,

ORDERED that JONATHAN GHERTLER be held to answer in the district court in which the prosecution is pending. Final Commitment given to the U.S. Marshal.

DONE and ORDERED in Chambers in Orlando, Florida on February 21, 2023.


DANIEL C. IRICK
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record